

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, FEBRUARY 13, 2019

I. CALL TO ORDER

Mayor Ladwig called the meeting to order at 6:00pm. Council members in attendance: West, Miller, Ladwig, Davies. Baker was absent. City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

Motion (Miller/West) to move approve the agenda as submitted. Passed 4-0.

IV. APPROVAL OF MINUTES – 01-09-19 cc

- P.2, Bottom; Add "...West also had ex-parte communication...", and elaborate on the nature of ex-parte communications between Councilmembers and Mike Reinman regarding his project.

Motion (West/Miller) to approve the minutes as amended. Passed 4-0.

V. COUNCILMEMBER REPORTS/COMMITTEE ASSIGNMENTS

West: HCAOG – 101 Safety Corridor meeting will be held on February 28. Last Chance Grade update
Trails Committee – Met with 4 students from HSU that will be assisting the City on developing trail maintenance policy recommendations.

Miller: RCEA discussion rate adjustments, and evaluating performance of Executive Director.

Davies: Trails Committee meets next Tuesday with HSU Students. Public participation is welcome.

Ladwig: HTA – A new housing plan in Arcata is requesting bus service.

VI. STAFF REPORTS

City Manager Berman highlighted staff accomplishments and various project status. Van Wycke Trail project update, STR License renewal, Rancheria Hotel Project Update, Letter from Coastal Conservancy requesting participation from all tribal entities in the management team process, Water Availability Assessment update.

VII. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Patti Fleschner – Trinidad

Civic Club attended the Coastal Commission meeting in Half Moon Bay to support the Lighthouse relocation project. The permit was unanimously approved. The Civic Club will be hosting a Valentine event at the Town Hall on February 14.

Elaine Weinreb – Trinidad Area Resident

The County Planning Department recently held a zoning meeting at the Westhaven Fire Hall. They suggested that all entities (Tribe, County, City) consider participating in creating a Trinidad Area Plan.

Richard Johnson – Trinidad Area Resident

The street lights in the Museum parking lot are not working. Planning Commission Chair John Graves requests that the Council make the General Plan Update a priority. The Planning Commission is ready and willing, but needs support from the Council.

VIII. CONSENT AGENDA

1. Staff Activity Report January 2019
2. Financial Statements December 2018
3. Law Enforcement Report January 2019
4. Authorize Grant Application to North Coast Resource Partnership for Water Line Replacements.
5. Second Reading of Ordinance 2019-01; Zoning Map Amendment Changing APN: 042-042-14 from Urban Residential to Planned Development.

6. Accept Councilmember Jim Baker's Letter re: Short-Term Absence from Council.

Motion (Miller/West) to approve the consent agenda as submitted. Passed 4-0.

XI. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding CEQA Notice of Exemption and Resolution 2019-03; Authorizing a loan application to the California Energy Commission for the Trinidad Town Hall Photovoltaic Project.

City Manager Berman explained that Redwood Coast Energy Authority (RCEA) is providing free expert technical assistance to the City through their Pilot Solar Program. RCEA has completed an analysis of the financial details for the Trinidad Town Hall Solar PV Project. Their previous report found that Town Hall is a good candidate for a PV solar panel installation and is likely eligible for a 1% loan program through the California Energy Commission (CEC). The current report provides a financial analysis for the project and concludes that under a 1% loan, the City would break even for the first twelve years, as our current electricity bill is replaced by a loan repayment cost, and would save about \$4,200 per year for the 12 years after that. The City would eliminate approximately 28 metric tons of CO2 emissions over the life of the project.

This Resolution and CEQA paperwork is the next step towards implementing this project, but is not a final commitment by the City. This step authorizes a CEC loan application, which requires the CEQA Notice of Exemption. If the Council approves, RCEA and City staff will complete and submit a loan application to the CEC. If that application is successful, the next steps would be to pursue building permits and develop bid documents for going to construction.

The final decision to borrow the money and install the project is only made if the City receives and accepts a bid from a qualified contractor that meets the project goals and budget. The City of Trinidad can apply for the CEC loan and even if the loan is approved, the City is not obligated to borrow the money. If bids come in too high or the bidders are not responsive, then the City can choose to abandon the project or go to re-bid.

There was no public comment.

Motion (Miller/West) to approve Resolution 2019-03 authorizing a CEC loan application for the Town Hall PV Project, and the CEQA Notice of Exemption for the Trinidad Town Hall Solar PV Project. Passed 4-0.

2. Accept Fiscal Year 2018 Audited Financial Statements

City Manager Berman summarized the Audited Financial Statement prepared by Ralph Marcello.

There was no public comment.

Council comments included:

Miller: Doesn't the audit typically include a specific letter with auditor recommendations for the year? One item we discussed was to absorb the Cemetery fund into the General Fund. I'd like to see this as a future agenda item.

Motion (Miller/West) to accept the 2018 audit as submitted. Passed 4-0.

3. Discussion/Decision regarding STR Committee Charter and Allocation of Staff Resources to the Committee

Mayor Ladwig explained that Members of the STR Committee have requested clarification from the Council regarding the mission, structure, and goals of their group. The Charter was approved by the Council in April 2018. The Council appointed 4 members in November 2018, and the Planning Commission appointed one of their members to the Committee on January 19th.

The Committee held it's first meeting on January 30. Members provided questions/feedback to the City that it wasn't able to answer based on the original Charter and direction provided by the Council, such as;

- 1) Who is the designated Chairperson?
- 2) Will City Staff be required to attend?
- 3) Who will take minutes?
- 4) What is the focus, priorities, expectations?

- 5) What topics should be avoided?
- 6) How frequently will they meet?
- 7) How long will the committee serve?
- 8) Committee member term limits?

The Council has made this Committee a priority, but allocating Staff support has not been formally addressed. Requiring Staff attendance has budget implications as the meetings may be held after-hours and require either overtime, a flexed schedule, or time away from pre-prioritized assignments. Staff typically provides basic services to all committees such as agenda & packet preparation, and public notification support. Attendance and minutes are duties that require approval from either the City Manager or Council as they impact work schedules and pre-approved budget priorities.

This is an opportunity for the Council to provide much needed clarification to this committee, and develop a system that will help guide the process or creating new committees in the future.

Public comment included:

John Dean – Trinidad Area Resident

I'll charge less to take notes than your staff does.

Richard Johnson – Trinidad Area Resident

The Gateway Committee was a great model. The representatives took charge, were self-directed, and very effective. Staff provided meeting announcement support.

Leslie Farrar – Trinidad

The Committee should not have to go through the ordinance line-by-line. That's the Planning Commission's job.

Dick Bruce – Trinidad

It's difficult to take notes and participate in the meeting, and a line-by-line review of the ordinance doesn't seem like the best use of the committee resources.

Alan Grau - Trinidad

Echoed Bruce and Farrar's comments.

Jonna Kitchen – Trinidad

The STR Ordinance achieved the expected outcome of creating a cap, create a permit process, and reduce complaints. City Staff compiles much of the info that can be used by the Committee to evaluate the ordinance's performance. Are we supposed to look at perceived, or real issues? The elephant in the room is that this Committee includes members that are adversarial. This poses a great challenge for the Committee.

Dorothy Cox – Trinidad

I'm not an adversary and resent being labeled as one. I've participated in the development of the ordinance from start to finish.

Jan Hunt – Trinidad

Attending STR Ordinance meetings became disturbing. I volunteered for this committee with the hope of being a part of a productive and positive process. I want to hear about what is working, and not working. Leadership needs to be less biased. I offered to take minutes for the group.

Alan Grau – Trinidad

This committee was created to bring all groups together.

Leslie Farrar – Trinidad

The Committee should have the opportunity to succeed, and needs diversity to open up everyone's minds.

Council comments:

West: The Planning Commissioner role was intended to be a neutral person to run meetings and collect information. It also is important to have all sides of the issue represented. My impression of the first meeting was that it was a success. I support sending staff to take minutes. The Committee was designed to receive input, evaluate complaints, provide suggestions, but also give feedback on what's working and what is not. I recommend 1-year term limits, and quarterly meetings – one being at the end of the summer.

Ladwig: Agreed with West.

Miller: I support allocating City Staff to take minutes. The initial charter was loose. I appreciate comments from both sides. I did not hear a personal attack tonight, but there are 2 clear camps in town and we have to work together. There is, however, a naturally adverse relation set up by the Committee to ensure the makeup is diverse. I recommend that Kathleen Lake continue participating in the Committee, but not as a member as recommended by the Planning Commission. Her appointment creates a perception that someone with a strong, known bias is moving the Committee forward. The Council should consider not having a Planning Commission representative on the Committee.

Davies: This is not a judicial committee. Conflict of interest and bias are 2 different things. I was not on the Council when the charter was formed. The precedent of staff taking minutes has already been established by the Trails Committee. This committee should be set up for success. None of our committees are formed by Resolutions or have a standing in this community. Members don't complete financial interest disclosures or receive the Ethics Code. All committees should be disbanded until they're formally adopted by Resolution. I ran for office to bring transparency to this government.

Public comment included:

Kathleen Lake – Trinidad

The Code of Ethics was adopted in 2005.

Adora King – Trinidad

I'm disappointed in this discussion tonight and how people are being treated.

Jonna Kitchen – Trinidad

I signed up to help. I live here too. I believe in the ordinance, the cap, and why it was created. The committee should be balanced. The Council asked for volunteers and I think the Council should take this work on themselves.

Motion (Davies/West) to suspend the STR Committee until a resolution is designed and approved by the Council, and require all members to sign the Code of Ethics and complete financial disclosure forms as applicable.

Passed 4-0.

Ladwig recommended West work with City Manager Berman to develop a draft resolution for consideration at the March meeting.

IX. FUTURE AGENDA ITEMS

- Water Availability Study
- Budget Discussions
- Planning Commission makeup, Bylaws, etc.

ADJOURNMENT: 8:40pm

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Steve Ladwig
Mayor